REMARKS

Claims 3-4, 8-9, 11-12, 15-16, and 19-20 are currently pending in the application. New claim 20 has been added.

On page 3 of the Office Action, claim 19 was rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,209,089 (Selitrennikoff).

Selitrennikoff is directed to a system and method for adjusting an operating system configuration according to changes in hardware components of a client computer. According to Selitrennikoff, during a preliminary connection between a client computer and a server computer, the system identifies hardware components that are new and must be supported by the operating system for bootup to occur. After the client computer identifies its new hardware components, the information regarding the new components is sent to the server. The server then locates the system components or device drivers that support the new hardware components and stores them in a specified repository at the server.

In Selitrennikoff, the client computer requests a loader from the server. According to Selitrennikoff, the loader includes computer-executable instructions. In response to the request from the client, the server sends the loader to the client computer. When the computer-executable instructions are executed by the client computer, additional executable instructions and other data are requested from the server and loaded into a memory device at the client computer for later execution and/or retrieval. *See* Selitrennikoff, column 12, lines 50-59.

Applicants respectfully submit that independent claims 3, 4, 8, 9, and 19 are patentable over Selitrennikoff, as Selitrennikoff does not disclose, "said data being installed on said client by an agent residing on said client according to a reading of an execution script residing on the server," as recited in independent claim 3, for example.

In the "REMARKS" section of the Office Action, the Examiner stated, "[t]he reading of a script residing on the server are interpreted to be the executing the steps of the loader by the client." *See* Office Action, page 10 [sic].

Applicants respectfully submit that the execution of the executable instructions of the loader occur on the client. That is, in Selitrennikoff, the instructions of the loader are not executed until the server transmits the loader to the client. *See* Selitrennikoff, column 12, lines 53-57. When the loader is executed on the client, the execution causes the server to transmit

additional executable instructions. Therefore, in Selitrennikoff, data is simply installed onto a client computer by transferring the data from the server to the client computer. Unlike the present invention, in Selitrennikoff, the transfer does not occur according to a script on a server computer. Rather, in Selitrennikoff, data is installed on the client according to the execution of the loader, which resides on the client computer (as the loader has already been transferred to the client computer).

In light of the foregoing, independent claims 3-4, 8-9, and 19-20 are patentable over Selitrennikoff, as Selitrennikoff fails to disclose the feature of the present invention identified by the above quoted language.

On page 3 of the Office Action, claim 19 was rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,598,159 (McAlister).

Applicants respectfully submit that independent claims 3, 4, 8, 9, 19, and 20 are patentable over McAlister, as McAlister does not disclose, "said data being installed on said client by an agent residing on said client according to a reading of an execution script residing on the server," as recited in independent claim 3, for example.

As McAlister clearly indicates that the network boot agent downloads and executes a script from the boot server, the script is downloaded *from* the server and, therefore, does not reside on the server during execution. That is, in McAlister, unlike in the present invention, the script does not reside on the server as it is downloaded *from* the server before execution. Moreover, the script simply includes network connection initialization information. Data is not installed according to the script. *See* McAlister, column 5, lines 48-57.

Claims 3, 8, and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent No. 6,209,089 (Selitrennikoff) in view of U.S. Publication No. 2002/0156965 (Gusler).

Gusler is directed to backing up data. According to Gusler, a backup image of data in a computer is created and stored on the computer. A server then requests the backup image from the computer.

As Gusler relates to transferring data from a client computer to a server computer, Gusler adds no relevant information to Selitrennikoff. Therefore, independent claims 3 and 8 are patentable over the references, as neither reference, alone or in combination, teaches or suggests the above-identified feature of the present invention. As dependent claim 11 depends

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from independent claim 3, the dependent claim is patentable over the reference for at least the reasons presented for the independent claim.

As Rodriguez merely discloses that an updated image is sent to the client computer, Rodriguez adds no relevant information to Selitrennikoff. Therefore, claims 4 and 9 are patentable over the references, as neither of the references, alone or in combination, teaches or suggests the above-identified feature of the claims of the present invention.

As claim 12 depends from independent claim 4, claim 12 is patentable over Selitrennikoff, in view of Rodriguez in further view of Gusler for the reasons presented above.

As Cheffetz discloses backing up data and program files located on workstations onto a centralized backup media, Cheffetz is not concerned with installing data on a client computer and therefore does not add any relevant information to the combination. Hence, claim 15, via independent claim 3, is patentable over the references.

As claim 16 depends from independent claim 4, claim 16, via independent claim 4, is patentable over the cited references for at least the reasons presented for independent claim 4.

Applicants respectfully submit that independent claim 20 is patentable over any combination of the cited references, as none of the references, alone or in any combination, teach or suggest the argued feature.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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